

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES D. LYONS,)	CASE NO. 4:03CV0244
)	
Plaintiff,)	
)	
v.)	JUDGE PETER C. ECONOMUS
)	
UNITED STATES OF AMERICA,)	
)	ORDER
)	
Defendant.)	

This matter is before the Court upon the Report and Recommendation of Magistrate Judge James S. Gallas. (Dkt. #55). Also before the Court are Plaintiff's Objections to the Report and Recommendation (Dkt. #59) and Plaintiff's Nunc Pro Tunc Motion to Allow Objections (Dkt. #60).

Plaintiff filed a complaint on February 7, 2003, alleging, *inter alia*, violations of the Federal Tort Claims Act. (Dkt. #1). This matter was referred to Magistrate Judge James S. Gallas for general pre-trial supervision on April 8, 2003. (Dkt. #7). On May 26, 2005, Plaintiff filed a Motion for Judicial Review and Directed Order, requesting the Court transfer this case to the Eastern District of North Carolina. (Dkt. #52). On August 24, 2005, Magistrate Judge James S. Gallas recommended that Plaintiff's Motion for Judicial Review and Directed Order be denied. (Dkt. #55).

The Court has reviewed the report and recommendation of the Magistrate Judge and Plaintiff's objections *de novo*. The Court finds that the report and recommendation is well-supported and that Plaintiff's objections are without merit. Therefore, Magistrate Judge Gallas' recommendation (Dkt. #55) is hereby **ADOPTED** and Plaintiff's objections are overruled. Furthermore, as the Court has considered Plaintiff's objections prior to adopting the report of the Magistrate, Plaintiff's Nunc Pro Tunc Motion to Allow Objections is **MOOT**. (Dkt. #60).

IT IS SO ORDERED.

/s/ Peter C. Economus - December 28, 2005
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE